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GOTTLIEB, RACKMAN & REISMAN, P.C.

270 Madison Avenue, 8th Floor

New York, New York 10016-0601

Telephone: (212) 684-3900

Fax: (212) 684-3999

FACSIMILE COVER SHEET

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TO: Office of Petitions**COMPANY:** United States Patent and Trademark Office**TELEFAX NO.:** 703 308 6916**TELEPHONE NO.:** 703 305 9285**FROM:** Tiberiu WEISZ, Esq.

We are sending a communication of 18 page(s) (including this cover sheet). Please call (212) 684-3900 immediately if transmission is interrupted or of poor quality.

November 13, 2001

Your Ref No.: 09/767,027

Our Ref. No.: 3486-024 DIV III

CERTIFICATE OF TRANSMISSION UNDER 37 CFR §1.8

I hereby certify that this correspondence is being facsimile transmitted to Office of Petitions, at Fax 703 308 6916, Assistant Commissioner for Patents, Washington, DC 20231 on 11.13.2001.

Belinda J. Hunter
Belinda Hunter

***** -COMM. JOURN ***** DATE NOV-13-01 ***** TIME 16:18 *****

MODE = TRANSMISSION

START=NOV-13 16:08

END=NOV-13 16:18

FILE NO. =719

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
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BH called 11/15/2001 12:54pm
All pages received

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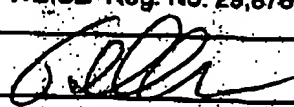
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 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/767.027	
	Filing Date	January 22, 2001	
	First Named Inventor	HOCHMAN, Mark N	
	Group Art Unit	3763	
	Examiner Name	To Be Assigned	
Total Number of Pages in This Submission	17	Attorney Docket Number	3486-024 DIV III

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ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): Return Receipt Postcard;
Remarks <div style="text-align: center;">  22440 PATENT TRADEMARK OFFICE </div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	GOTTLIEB RACKMAN & REISMAN PC Tiberiu WEISZ Reg. No. 29,876
Signature	
Date	November 13, 2001

CERTIFICATE OF MAILING	
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Typed or printed name	
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Date	

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PTO/SB/17 (09-00)

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FEE TRANSMITTAL
for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$) 557

Complete if Known

Application Number 09/767,027

Filing Date January 22, 2001

First Named Inventor HOCHMAN, Mark N

Examiner Name To Be Assigned

Group Art Unit 3763

Attorney Docket No. 3488-024 DIV III

PETITIONS OFFICE

METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

07-1730

Deposit Account Name

Gottlieb Rackman & Fleisman PC

- ☒
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☒
- Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$) Code (\$) Code (\$) Fee Paid

101 710 201 355 Utility filing fee

106 320 206 160 Design filing fee

107 480 207 245 Plant filing fee

108 710 208 355 Reissue filing fee

114 160 214 75 Provisional filing fee

Fee Paid

355

SUBTOTAL (1) (\$) 355

2. EXTRA CLAIM FEESTotal Claims 23
Independent Claims 3
Multiple Dependent
Extra Claims
-20** = 3
-3** = 0
Fee from below
9
Fee Paid
27

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$) Code (\$) Code (\$) Fee Paid

103 18 203 9 Claims in excess of 20

102 80 202 40 Independent claims in excess of 3

104 270 204 135 Multiple dependent claim, if not paid

109 80 209 40 - Reissue independent claims over original patent

110 18 210 9 - Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 27

**for number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$) Code (\$) Code (\$) Fee Paid

105 130 205 65 Surcharge - late filing fee or oath

127 90 227 25 Surcharge - late provisional filing fee or cover sheet

139 130 139 130 Non-English specification

147 2,520 147 2,520 For filing a request for ex parte reexamination

112 920* 112 920* Requesting publication of SIR prior to Examiner action

113 1,840* 113 1,840* Requesting publication of SIR after Examiner action

115 110 215 55 Extension for reply within first month

116 390 216 195 Extension for reply within second month

117 890 217 445 Extension for reply within third month

118 1,380 218 685 Extension for reply within fourth month

126 1,890 226 945 Extension for reply within fifth month

119 310 219 165 Notice of Appeal

120 310 220 155 Filing a brief in support of an appeal

121 270 221 135 Request for oral hearing

136 1,510 136 1,510 Petition to institute a public use proceeding

140 110 240 55 Petition to revive - unavoidable

141 1,240 241 620 Petition to revive - unintentional

142 1,240 242 620 Utility issue fee (or reissue)

143 440 243 220 Design issue fee

144 600 244 300 Plant issue fee

122 130 122 130 Petitions to the Commissioner

123 50 123 50 Petitions related to provisional applications

126 240 126 240 Submission of Information Disclosure Stmt

581 40 581 40 Recording each patent assignment per property (times number of properties)

148 710 248 355 Filing a submission after final rejection (37 CFR § 1.128(a))

149 710 249 355 For each additional invention to be examined (37 CFR § 1.128(b))

175 710 275 355 Request for Continued Examination (RCE)

169 900 169 900 Request for expedited examination of a design application

Other fee (specify)

Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 175

SUBMITTED BY

Name (Print/Type)

WEISZ, Tiben

Registration No.
(Attorney/Agent)

29,876

Complete (if applicable)

Telephone

212 684 3800

Signature

Date

November 13, 2001

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Date June 20, 2001 Atty JR/TW/BELRe: Inventor: HOCHMAN Title: DRUG DELIVERY SYSTEM
WITH PROFILESClient/Matter (Docket) No. 3486/24 DIV3 Case No. _____S/N 09/767.027

R/N _____

JUN 25 2001

P/N _____

COPY

Title or Description of Enclosures Trans. Form Cvr. Sht.; Sec. Req. Not. File
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Prts. Non-Prov. 2pgs; Record. Form Cvr. Sht. in dupl. 2pgs;
Assign. 2pgs.; Check \$40.

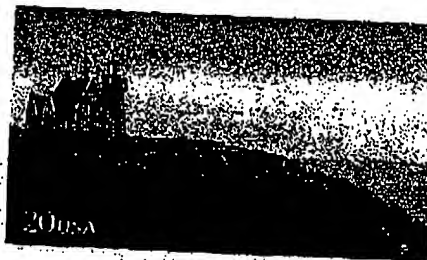
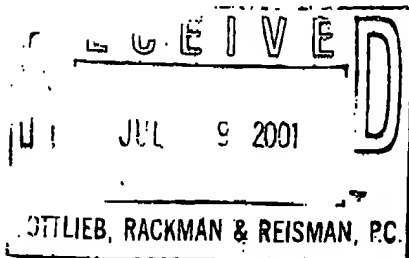
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Gottlieb, Rackman & Reisman, P.C.

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New York, New York 10016-0601

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/767.027	
	Filing Date	January 22, 2001	
	First Named Inventor	HOCHMAN, Mark N	
	Group Art Unit	3763	
	Examiner Name	To Be Assigned	
Total Number of Pages in This Submission	10	Attorney Docket Number	3486-024 DIV3

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ENCLOSURES (check all that apply)	
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COPY

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	GOTTLIEB RACKMAN & REISMAN PC Tiberiu WEISZ Reg. No. 29,876
Signature	<i>[Signature]</i>
Date	June 20, 2001

CERTIFICATE OF MAILING

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Typed or printed name	Belinda HUNTER
Signature	<i>[Signature]</i>
Date	June 20, 2001

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Attorney Docket No.: 3486-024 DIV3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : HOCHMAN, Mark N
 Serial No. : 09/767,027
 (this is a divisional of parent application 09/201,464)
 Filing Date : January 22, 2001
 Title : DRUG DELIVERY SYSTEM WITH PROFILES
 Examiner : To Be Assigned
 Group Art Unit : 3763

COPY**Box Missing Parts**

Assistant Commissioner for Patents
 Washington, D.C. 20231

June 20, 2001

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8

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Brenda J. Hunter
 Brenda Hunter

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OCT 03 2002

PETITIONS OFFICE

**SECOND RESPONSE TO NOTICE TO FILE MISSING PARTS
AND REQUEST FOR CORRECTED (PRELIMINARY) FILING RECEIPT**

SIR:

At the time of filing the above-identified patent application on January 22, 2001, applicant enclosed therewith a *Fee Transmittal For FY 2001 (form PTO/SB/17)* authorizing the Commissioner to charge the small entity fees indicated therein to Deposit Account No. 07-1730. At that same time, applicant did assert entitlement to small entity status on the *Utility Patent Application Transmittal (form PTO/SB/05)* at item 2. Further, the initial submission at the time of filing included a *Declaration and Power of Attorney* duly signed by all inventors in this case. It is hereby reasoned that the declaration was not filed late and therefore a surcharge in the small

entity amount of \$65.00 is not now due.

In view of the above facts, Applicant hereby requests that the USPTO please charge to Deposit Account No. 07-1730 the outstanding filing fees totaling the small entity amount of \$382 as originally authorized at the time of filing this application. For the convenience of the USPTO, the *Fee Transmittal For FY 2001 (form PTO/SB/17)* was submitted in duplicate.

REQUEST FOR CORRECTED (PRELIMINARY) FILING RECEIPT

It is hereby requested that the USPTO correct the Attorney Docket No. to **3486-024**
DIV3 as indicated in red on the marked up true copy of the preliminary filing receipt attached
hereto prior to issuing the official filing receipt.

Dated: June 20, 2001
New York, New York

Respectfully submitted,

GOTTLIEB RACKMAN & REISMAN PC
Attorneys for Applicant
270 Madison Avenue
New York, New York 10016-0601
Telephone: 212/684-3900
Telefax: 212/684-3999

By:

Tiberiu WEISZ
Reg. No. 29,876



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/787,027	01/22/2001	3783	0.00	3486-023 DIV2	17	23	3

22440

GOTTLIEB RACKMAN & REISMAN PC
270 MADISON AVENUE
8TH FLOOR
NEW YORK, NY 100160801

CONFIRMATION NO. 3318

FILING RECEIPT

0000000005899348

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Date Mailed: 03/26/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

- ✓ Mark Hochman, Lake Success, NY;
- ✓ Claudia Hochman, Lake Success, NY;
- ✓ Angelo Ascione, Woodbridge, NJ;
- ✓ Lawrence Brown, Enola, PA;
- ✓ Hardie Johnson, Enola, PA;
- ✓ Michelle Lockwood, Mechanusburg, PA;

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OCT 03 2002

PETITIONS OFFICE

Continuing Data as Claimed by Applicant

THIS APPLICATION IS A DIV OF 09/201,464 11/30/1998 PAT 6,200,289 ✓
AND CLAIMS BENEFIT OF 60/081,388 04/10/1998 ✓

Foreign Applications

If Required, Foreign Filing License Granted 03/23/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

SMALL ENTITY

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/787,027	
	Filing Date	January 22, 2001	
	First Named Inventor	HOCHMAN, Mark N	
	Group/Inventor	3763	
	Examiner Name	To Be Assigned	
Total Number of Pages in This Submission	4	Attorney Docket Number	3486-024 DIV3

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) Return Receipt Postcard;
Remarks: FAX RECEIVED OCT 03 2002 PETITION'S OFFICE		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	GOTTLIEB RACKMAN & REISMAN PC Tiberiu WEISZ Reg. No. 29,876
Signature	
Date	April 6, 2001

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Typed or printed name	Befinda HUNTER
Signature	
Date	April 6, 2001

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Attorney Docket No.:3486-024 DIV3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : HOCHMAN, Mark N
Serial No. : 09/767,027
(this is a divisional of parent application 09/201,484)
Filing Date : January 22, 2001
Title : DRUG DELIVERY SYSTEM WITH PROFILES
Examiner : To Be Assigned
Group Art Unit : 3763

COPY

April 6, 2001

Assistant Commissioner for Patents
Attention: OIPE - Customer Service Center
Washington, D.C. 20231

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Beylinda J. Hunter
Beylinda Hunter

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PETITIONS OFFICE

RESPONSE TO NOTICE TO FILE MISSING PARTS

SIR:

At the time of filing the above-identified patent application on January 22, 2001, the USPTO overlooked applicants claim of small entity status on the *Utility Patent Application Transmittal (form PTO/SB/05)* at item 2.

Applicant by his undersigned attorneys hereby claim entitlement to small entity status under 37 CFR §1.27. Therefore, it is believed that the total outstanding balance of \$427 as indicated on the *Notice to File Missing Parts* is not now due.

Dated: April 6, 2001
New York, New York

Respectfully submitted,

GOTTLIEB RACKMAN & REISMAN PC
Attorneys for Applicant
270 Madison Avenue
New York, New York 10016-0601
Telephone: 212/684-3900
Telefax: 212/684-3999

By: 

Tibend WEISZ
Reg. No. 29,876

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER 09/767,027	FILING/RECEIPT DATE 01/22/2001	FIRST NAMED APPLICANT Mark Hochman	ATTORNEY DOCKET NUMBER 3486-023 DIVE
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22440
GOTTLIEB RACKMAN & REISMAN PC
270 MADISON AVENUE
8TH FLOOR
NEW YORK, NY 100180601

CONFIRMATION NO. 3318

FORMALITIES LETTER



0C000000005899348

COPY

Date Mailed: 03/26/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

OCT 03 2002

PETITIONS OFFICE

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$27.
 ▪ \$27 for 3 total claims over 20.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$85 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 447.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
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PART 2 - COPY TO BE RETURNED WITH RESPONSE